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10/533,772	06/22/2006	David Flattin	0579-1088	8199

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EXAMINER
RONI, SYED A

ART UNIT	PAPER NUMBER
2194	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

	Application No.	Applicant(s)
Office Action Summary	10/533,772	FLATTIN ET AL.
	Examiner	Art Unit	
	SYED RONI	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 December 2009*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 20* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 - 20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 4, 14, 15-17, 19 and 20 are objected to because of the following informalities:

Claim 4 recites the limitation "the initialization" in line 3 of the claim. There is insufficient antecedent basis for this limitation in the claim. It is suggested to amend to – initialization -- or define initialization-- earlier in the claim.

Claim 14 recites the limitation "said computer system terminal" in lines 4 - 5 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claims 15 - 17 are dependent upon claim 14 and thus also objected.

Claim 15 recites the limitation "said computer system terminal" in lines 4 - 5 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claims 15 - 17 are dependent upon claim 14 and thus also objected.

Claims 19 and 20, first occurrence of acronym ("APDU") should be spelled out.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Lagosanto et al. (hereinafter Lagosanto) (US 6,807,561 B2) further in view of Zuppicich
(US 6,698,654 B1).

Lagosanto discloses;

Regarding **claim 1**, (currently amended) A **Microcircuit card** [i.e., smart card
(col. 1, line 22), (column 2, line 7)] comprising:

at least **one data object** [i.e., application programs, e.g., applets (col. 1, lines 25 - 26)],
[i.e., applications on the device (col. 1, lines 30 - 34)];

a **register** comprises a **logical identifier of** said **object** [i.e., APDU command and
response messages (col. 5, line 26), (see figure 1)], [i.e., "the client..........command
APDU message................the message as one that pertains to the bank account
application.............forwards the APDU message to the application 12" (col. 5, lines 27 -
31), (see figure 1)]; and

a **means** adapted, **on reception** of a **first message** from a **terminal** said **message**
comprising said **logical identifier** of the **data object** [i.e., "command APDU" (see
figures 1 and 2)], to **communicate** to the **terminal** [i.e., "response APDU" (see figures 1
and 2)].

Lagosanto does not disclose;

at least one data object associated to at least one first reference local to the card
to locally address and execute the data object, a register comprises a logical identifier of
said object and at least one first local reference and on reception of a first message

from a terminal said message comprising said logical identifier of the data object, to
communicate to the terminal at least one second local reference obtained from said at
least one first local reference.

However, Zuppicich discloses;

at least **one data object associated** to **at least one first reference local** to the
card to **locally address** and **execute** the **data object** [i.e., "low level protocol
sets..........correspond...............card type" (col. 2, line 14), (see figure 6)], and **on
reception** of a **first message** from a **terminal** said **message** comprising said **logical
identifier** of the **data object** [i.e., "high level language commands from the host
application" (col. 2, lines 21 - 23), (see figure 6)], to **communicate** to the **terminal at
least one second local reference obtained** from said **at least one first local
reference** [i.e., "low level protocol.........translate them.............high level language"
(col. 2, lines 25 - 29), (see figure 6)]**.**

At the time of the invention, it would have been obvious to a person of ordinary
skill in the art to modify the mechanism of communicating to a smart card from a host
terminal of Lagosanto to include translating high level language commands of host
application to corresponding low level commands of the card as though by Zuppicich to
facilitate development of applications for a smartcard by using high level programming
languages.

Lagosanto discloses;

Regarding **claim 2**, (currently amended) The microcircuit card according to Claim
1, further comprising a means for **publication of said logical identifier** and of said at

least **one first local reference** in said **register of the card** [i.e., "the

client..........command APDU message................the message as one that pertains to the

bank account application.............forwards the APDU message to the application 12"

(col. 5, lines 27 - 31), (see figure 1) Note; the card runtime engine differentiate

messages to determine which particular application the message is referring and

forward the message to the application. Thus, the runtime engine must have registry of

published logical identifier].

     Lagosanto discloses;

     Regarding **claim 3**, (currently amended) The microcircuit card according to claim

2, wherein said **data object** is a **Java Card type object** [i.e., Java Card (col. 2, line 27)]

belonging to a **Java Card applet** [i.e., application programs, e.g., applets...Java

programming language (col. 1, lines 25 - 26)], the card being wherein said second local

reference of said data object **conforms** to the **Java Card standard** [i.e., Java Card (col.

2, line 27)], [i.e., skeleton 22 (col. 2, lines 16 - 19), (col. 5, lines 57 - 60), (see figure 2)].

     Lagosanto discloses;

     Regarding **claim 4**, (currently amended) The microcircuit card according to claim

3, wherein said **publication** is **performed** at the **initialization** of said **applet** [i.e., the

card application, which consists of the implementation...and client programs are

developed...through the card service (col. 2, lines 38 - 42)].

     Lagosanto discloses;

     Regarding **claim 5**, (currently amended) The microcircuit card according to claim

3, wherein the **communication means** are adapted to **communicate** an **identifier of**

said **applet on reception** of said **first message** [i.e., "communicate................means of

a specific protocol" (col. 1, lines 53 - 54)], [i.e., received APDU messages (col. 2, lines

16 - 19)].

Lagosanto discloses;

Regarding **claim 6**, (currently amended) The microcircuit card according to <u>claim</u>

<u>1</u>, wherein said **data object** is a **computer program** [i.e., application program (col. 1,

line 25)], a variable or a **computer file** [i.e., applets (col. 1, line 25)].

Lagosanto discloses;

Regarding **claim 7**, (currently amended) The microcircuit card according to <u>claim</u>

<u>1</u>, characterized in that, **on reception of** a **second message** [i.e., APDU command and

response messages (col. 5, line 26), (see figure 1)], said **communication** means

communicate all the **logical identifiers** contained **in** said **register** [i.e., APDU

command and response messages (col. 5, line 26), (see figure 1)], [i.e., "the

client..........command APDU message................the message as one that pertains to the

bank account application.............forwards the APDU message to the application 12"

(col. 5, lines 27 - 31), (see figure 1)].

Lagosanto discloses;

Regarding **claim 8**, (currently amended) The microcircuit card [i.e., smart card

(col. 1, line 22), (column 2, line 7)] according to <u>claim 1</u>,.

Lagosanto does not disclose;

second local reference is said first local reference.

However, Zuppicich discloses;

second local reference is said **first local reference** [i.e., "low level protocol

sets...........correspond...............card type" (col. 2, line 14), (see figure 6)].

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to modify the mechanism of communicating to a smart card from a host

terminal of Lagosanto to include translating high level language commands of host

application to corresponding low level commands of the card as though by Zuppicich to

facilitate development of applications for a smartcard by using high level programming

languages.

Lagosanto discloses;

Regarding **claim 9**, (currently amended) The microcircuit card according to <u>claim

1</u>, is **obtained** by **encrypting** the **first local reference** using an **encryption key** [i.e.,

decrypt the message (col. 7, line 32)] of the microcircuit card.

Lagosanto does not disclose;

second local reference is **temporary**

However, Zuppicich discloses;

second local reference is **temporary** [i.e., "low level protocol sets" (col. 2, line

14)].

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to modify the mechanism of communicating to a smart card from a host

terminal of Lagosanto to include translating high level language commands of host

application to corresponding low level commands of the card as though by Zuppicich to

facilitate development of applications for a smartcard by using high level programming

languages.

Lagosanto discloses;

Regarding **claim 10**, (currently amended) A **computer equipment of terminal type**

[i.e., terminal 16 (col. 1, lines 27 - 33), (see figure 2)] including means adapted to

implement a **software application** [i.e., client program 18 (col. 1, lines 27 -33), (col. 5,

line 47), (see figure 2)] **including** at least **one first instruction** [i.e., APDU command

and response messages (col. 5, line 26), (see figure 1)] for **using** at least **one data**

object in a **microcircuit card** [i.e., device application 12 (col. 1, lines 25 - 26), (col. 5,

lines 48 - 49), (see figure 2)], [i.e., services provided.....on the device (col. 1, lines 27 -

33)] [i.e., client program that communicates with the application stored on the device

(col. 1, lines 24 - 28)], said at least **one first instruction** uses a **logical identifier** of

said **object** [i.e., "the client..........command APDU message................the message as

one that pertains to the bank account application.............forwards the APDU message

to the application 12" (col. 5, lines 27 - 31), (see figure 1)] and the computer equipment

comprising:

logical identifier [i.e., "the client..........command APDU message................the

message as one that pertains to the bank account application.............forwards the

APDU message to the application 12" (col. 5, lines 27 - 31), (see figure 1)], and

a **communication means** [i.e., "communicate.................means of a specific protocol"

(col. 1, lines 53 - 54)].

Lagosanto does not disclose;

a means for obtaining, from said logical identifier, at least one second local reference obtained by the microcircuit card from a first reference of said data object local to said card, said first local reference being associated to the data object to locally address and execute the data object within the card,

a means for translating said at least one first instruction into at least one second instruction that can be executed on said card, said at least one second instruction using said at least one second local reference, and

a communication means adapted to communicate said at least one second instruction to said card for said use.

However, Zuppicich discloses;

a **means** for **obtaining**, at least **one second local reference** obtained **by** the **microcircuit card** from a **first reference** of said **data object local** to said **card** [i.e., "low level protocol from said card………corresponding commands in said high level languages" (col. 2, lines 27 - 29), (see figure 6)], said **first local reference** being **associated** to the **data object** to **locally address** and **execute** the **data object** within the **card** [i.e., "low level protocol sets………correspond……………card type" (col. 2, line 14), (see figure 6)],

a means for **translating** said at least **one first instruction into** at least **one second instruction** that can be **executed** on said **card**, said at least **one second instruction using** said at least **one second local reference** [i.e., "translate high level language commands………corresponding commands………low level protocol" (col. 2, lines 21 - 24), (see figure 6)], and

a **communication means** [i.e., "card reader writer" (col. 2, line 26), (see figure 6)] adapted to **communicate** said at least **one second instruction** to said **card** for said **use** [i.e., "writes these commands..........host application program" (col. 2, lines 29 - 30)].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the mechanism of communicating to a smart card from a host terminal of Lagosanto to include translating high level language commands of host application to corresponding low level commands of the card as though by Zuppicich to facilitate development of applications for a smartcard by using high level programming languages.

Lagosanto discloses;

Regarding **claim 11**, (currently amended) The computer equipment according to claim 10, wherein said **data object** is a **Java Card type object** [i.e., Java Card (col. 2, line 27)] belonging to a **Java Card applet** of the **microcircuit card** [i.e., application programs, e.g., applets...Java programming language (col. 1, lines 25 - 26)], which computer equipment is wherein the **obtaining means** are adapted to **obtain** a **second reference conforming** to the **Java Card standard** [i.e., Java Card (col. 2, line 27)], [i.e., skeleton 22 (col. 2, lines 16 - 19), (col. 5, lines 57 - 60), (see figure 2)].

Lagosanto does not disclose;

second reference obtained by said card from a first reference of said data object.

However, Zuppicich discloses;

second reference obtained by said card from a **first reference** of said **data object** [i.e., "translate high level language commands...........corresponding commands.........low level protocol" (col. 2, lines 21 - 24), (see figure 6)].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the mechanism of communicating to a smart card from a host terminal of Lagosanto to include translating high level language commands of host application to corresponding low level commands of the card as though by Zuppicich to facilitate development of applications for a smartcard by using high level programming languages.

Lagosanto discloses;

Regarding **claim 12**, (currently amended) the computer equipment according to claim 10, wherein the obtaining means are adapted to obtain an **identifier of** said **applet** [i.e., application programs, e.g., applets (col. 1, lines 25 - 26)], [i.e., applications on the device (col. 1, lines 30 - 34)], [i.e., "the client..........command APDU message................the message as one that pertains to the bank account application.............forwards the APDU message to the application 12" (col. 5, lines 27 - 31), (see figure 1)].

Lagosanto discloses;

Regarding **claim 13**, (currently amended) The computer equipment according to claim 10, wherein said **data object** is a **computer program** [i.e., application program (col. 1, line 25)], a variable or a **computer file** [i.e., applets (col. 1, line 25)].

Lagosanto discloses;

Regarding **claim 14,** (currently amended) The computer equipment according to
claim 10, wherein it further comprising a **means** for **publication**, **in** a **register** of said
computer system terminal [i.e., terminal 16 (col. 1, lines 27 - 33), (see figure 2)], [i.e.,
published methods (col. 1, line 50), (col. 1, lines 41 - 46), (col. 2, line 37)], a **buffer
object** including an **interface identical** to that of the **data object of the card** [i.e.,
application programs, e.g., applets (col. 1, lines 25 - 26)], [i.e., applications on the
device (col. 1, lines 30 - 34)], that **buffer object** being adapted to **translate** an
instruction executing on a **third-party system** and **using** said **logical identifier** into
at least **one second instruction** that can be **executed** on said **card** [i.e., converts the
method.....APDU message (col. 2, lines 14 - 16), (col. 5, lines 53 - 54), (see figure 2)]
and uses said second local reference.

Lagosanto discloses;

Regarding **claim 15,** (currently amended) The computer equipment according to
claim 14, wherein the **publication means** are adapted to **obtain** and to **publish** in the
register of said computer system terminal [i.e., terminal 16 (col. 1, lines 27 - 33), (see
figure 2)] all the **buffer objects of the data objects** published **by** said **card** [i.e.,
published methods (col. 1, line 50), (col. 1, lines 41 - 46), (col. 2, line 37)].

Lagosanto discloses;

Regarding **claim 16,** (currently amended) The computer equipment according to
claim 14, wherein said **data object** is a **Java Card type object** [i.e., Java Card (col. 2,
line 27)] and said register **conforms** to the **"Java standard RMI registry" standard**
[i.e., remote method invocation (RMI) (col. 1, line 40)].

Lagosanto discloses;

Regarding **claim 17**, (currently amended) The computer equipment according to claim 15, wherein said **data object** is a **Java Card type object** [i.e., Java Card (col. 2, line 27)] and said register **conforms** to the **"Java standard RMI registry" standard** [i.e., remote method invocation (RMI) (col. 1, line 40)].

Lagosanto discloses;

Regarding **claim 18**, (currently amended) The microcircuit card according to claim 1, wherein said **data object** is a **Java Card type object** [i.e., Java Card (col. 2, line 27)] belonging to a **Java Card applet** [i.e., application programs, e.g., applets...Java programming language (col. 1, lines 25 - 26)], the **card** being wherein said **second local reference** of said data object **conforms** to the **Java Card standard** [i.e., Java Card (col. 2, line 27)].

Lagosanto discloses;

Regarding **claim 19**, (new) The microcircuit card according to claim 1, wherein the **first message** comprises the **logical identifier of the data object** is an **APDU message** [i.e., "command APDU" (see figures 1 and 2)].

Lagosanto discloses;

Regarding **claim 20**, (new) The computer equipment according to claim 10, wherein the means for obtaining are configured to **APDU messages exchanged** with the **card** [i.e., APDU command and response messages (col. 5, line 26), (see figure 1)].

Lagosanto does not disclose;

obtain the **second local reference**

However, Zuppicich discloses;

obtain the **second local reference** [i.e., "low level protocol from said

card..........corresponding commands in said high level languages" (col. 2, lines 27 -

29), (see figure 6)].

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to modify the mechanism of communicating to a smart card from a host

terminal of Lagosanto to include translating high level language commands of host

application to corresponding low level commands of the card as though by Zuppicich to

facilitate development of applications for a smartcard by using high level programming

languages.

Response to Arguments

Applicant's arguments with respect to the pending claims have been considered

but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SYED RONI whose telephone number is (571)270-7806. The examiner can normally be reached on M - F (8:30 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sub Sough (Sam) can be reached on (571) 272 - 6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SYED RONI/   /Hyung S. Sough/
Examiner, Art Unit 2194   Supervisory Patent Examiner, Art Unit 2194
                                      03/14/10